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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,484	10/11/2001	Helmut Busshoff	HHI-026US	7471

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BOSTON, MA 02109

EXAMINER

NGUYEN, ANTHONY H

ART UNIT PAPER NUMBER

2854

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/763,484

Applicant(s)

BUSSHOFF, HELMUT

Examiner

Anthony H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Newly submitted claim 6 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The process as claimed can be practiced by another materially different apparatus or by hand. For example, the process can be used to machine a sleeve on a lathe.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 6 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Crowley et al. (US 5,472,153).

Crowley et al. teaches a roll support having a holding device which meets the structure as claimed. Crowley et al. teaches a holding device which includes receiving members 152 having two or more shoulders of different diameters and toothed elements 182 as shown in Figs. 17 and 18 of Crowley et al.

*Claim Rejections - 35 U.S.C. § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Crowley et al. (US 5,472,153) in view of Nelson (US 5,904,095).

With respect to claim 3, Crowley et al. teaches all that is claimed, except for the sleeve having air channels leading the air to an outer surface of the support sleeve. See the explanation of Crowley et al. above. However, Nelson teaches a printing cylinder having a support sleeve 22 which includes channels 36 leading air to the surface of the sleeve as shown in Fig.3 of Nelson. Therefore, in view of the teaching of Nelson, it would have been obvious to one of ordinary skill in the art to modify the holding device of Crowley et al. by providing the sleeve having air channels as taught by Nelson for quickly replacing a printing sleeve in a printing press.

With respect to claims 4 and 5, the use of reinforcing elements in the inner cavity of the sleeve or the support sleeve is conventional.

*Response to Arguments*

Applicants' arguments filed on June 18, 2003 have been fully considered but they are not persuasive of any error in the above rejections.

Applicant argues that Crowley et al. fail to teach a holding device for a flexographic printing sleeve since the holding device of Crowley et al. is used for supporting a roll and that the International patents classes of Crowley et al. and the present application are different.

It is noted that a reference will still anticipate if it explicitly or inherently discloses every limitation recited in claims. In this case, Crowley et al. teaches the receiving member with cylindrical lateral surfaces 168, 176, 170, 178, 172, 180 (Crowley et al., Fig. 18) including two or more shoulders of different diameters and toothed elements. Also, note that the International classification system might be different from the US classification system. Applicant argues that the combination of Crowley et al. and Nelson fails to teach or suggest the holding device as recited in claims 3 and 4 because Crowley et al. does not involve a holding device for flexographic printing sleeve and Nelson is directed to printing and inking rollers.

As explained above, Crowley et al. clearly teaches the holding device and Nelson teaches a support sleeve having air channels leading from an inner surface of the support sleeve as recited in claim 3. Therefore, the combination of Crowley et al. and Nelson renders obvious the structure as recited in claim 3.

Applicant argues that the reinforcing elements in the inner cavity of a support sleeve are not conventional since the elements are not shown in the prior art.

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Note that the reinforcing elements in an inner cavity of the sleeve or the support sleeve as broadly recited in the claims fail to distinguish in any unobvious manner from the structure implied by Crowley et al. or Nelson which is obviously conventional or well known and necessary for the Crowley et al. or Nelson device to function as disclosed. The fact that such reinforcing elements are conventional or well known is clearly apparent in the fact that applicant does not disclose or show any specific structure for these elements.

### *Conclusion*

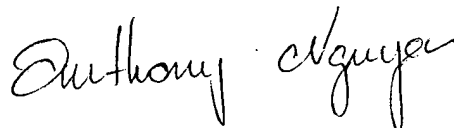
Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (703) 308-2869. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (703) 305-6619. The fax phone number for this Group is (703) 308-7722.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in cursive script that reads "Anthony Nguyen".

Anthony Nguyen

9/4/03

Patent Examiner

Technology Center 2800